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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 ANTOLIN ANDREW MARKS,

8 Plaintiff,

9 v.

10 JOHN AND JANE DOES, et al.,

11 Defendants.

No. C09-5489 RJB/KLS

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

12 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen
13 L. Strombom, objections to the Report and Recommendation, if any, and the remaining record,
14 does hereby find and **ORDER:**

- 15 1) The Court adopts the Report and Recommendation.
- 16 2) Defendants' motion to dismiss (Dkt. 16) is **GRANTED**; all claims against
17 Defendant David W. Jennings in his personal capacity are **dismissed with prejudice**.
- 18 3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for
19 Defendant and to the Hon. Karen L. Strombom.

20 **DATED** this 2nd day of March, 2010.

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22 ROBERT J. BRYAN
23 United States District Judge
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